

Remarks/Arguments

A. Claims Pending

Claims 33, 35-44, 46-49, and 71-93 are pending in the case. Claims 33 and 46 have been amended. Claims 34 and 45 have been cancelled. Claims 71-93 are new.

B. The Claims Are Not Indefinite Pursuant To 35 U.S.C. § 112

Claims 33-49 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant respectfully disagrees with these rejections.

The Office Action states: "Claim 33 is considered incomplete because it is essential to the instant method that the first or second fluid include waste, and the waste is subjected to an oxidative waste treatment. Claim 34 is considered misdescriptive because claim 33 recites that the first temperature is included in the corrosion temperature range." Claim 33 has been amended to describe features including: "A method for injecting a first fluid of a first temperature at a first flow rate into a second fluid of a second temperature at a second flow rate in a high pressure and high temperature reaction system suitable for oxidative waste treatment". Claim 34 has been cancelled. Applicant respectfully requests removal of the indefiniteness rejection of claims 33-49.

C. The Claims Are Not Obvious Over Higo In View Of Hong Pursuant To U.S.C. § 103(a)

The Examiner rejected claims 33-44 under 35 U.S.C. 103(a) as being unpatentable over WO98/47612 to Higo et al. (hereinafter "Higo") in view of U.S. Patent No. 5,358,645 to Hong et al. (hereinafter "Hong"). Applicant respectfully disagrees with these rejections.

The Office Action states: "Claim 33 properly written to overcome the above 35 USC 112 rejection and to include claim 45 would be allowable." Claim 33 has been amended to incorporate the features of claim 45 and to overcome the 35 U.S.C. 112 rejection. Applicant respectfully requests removal of the rejection of claim 33 and the claims dependent thereon.

D. New Claims

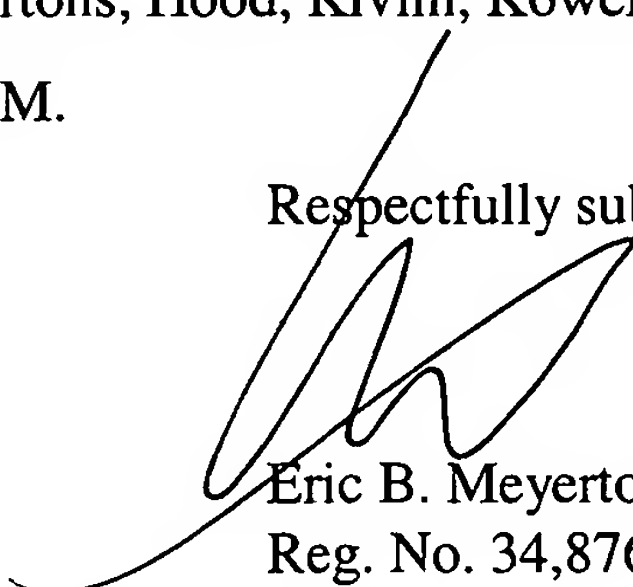
Independent claim 71 describes a combination of features, including the features of claims 33, 34, and 45. Independent claim 78 describes a combination of features, including the features of claims 33 and 40. Independent claim 86 describes a combination of features, including the features of claims 33, 34, and 40.

E. Additional Comments

Applicant submits that all claims are in condition for allowance. Favorable reconsideration is respectfully requested.

A fee authorization is enclosed to cover excess claims fees. If an extension of time is required, Applicant hereby requests the appropriate extension of time. If any additional fees are required, please appropriately charge those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5045-03200/EBM.

Respectfully submitted,


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